

Vice Mayor Andra Higginbotham called a regular monthly meeting of the Amherst Town Council to order on November 8, 2023, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street.

It was noted that a quorum was present as follows:

A	D. Dwayne Tuggle	P	Andra Higginbotham
P	Janice N. Wheaton	P	Michael Driskill
P	Sharon W. Turner	P	Douglas Thompson

Also present were the following staff members:

Sara E. McGuffin	Town Manager	Ryan Watts	Police Captain
Kelley Kemp	Town Attorney	Gary Williams	Director of Plants
Vicki K. Hunt	Clerk of Council	Gary P. Smith, Jr.	Plants Maintenance Supervisor
Bobby Shiflett	Police Chief		

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Sharon Turner.

Town Manager McGuffin reported that a public hearing was held by the Planning Commission on August 3, 2023, on consideration of a code amendment to enact a new code section, Dwelling Units Accessory to Single-Household Residences, which would, if approved, allow up to two accessory units on a lot based on the underlying zoning district and/or size of parcel for a total of three dwellings on a lot. At its meeting on October 4, 2023, the Commission made a unanimous recommendation to Council for approval of the proposed ordinance.

Vice Mayor Higginbotham opened a duly advertised public hearing at 7:03 p.m. on the proposed amendment to the Town’s Zoning and Subdivision Ordinances, Chapter 24, Dwelling Units Accessory to Single-Household Residences, which would, if approved, allow up to two accessory units on a lot based on the underlying zoning district and/or size of parcel for a total of three dwellings on a lot.

There being no one present who wished to speak on the matter, the public hearing was closed at 7:05 p.m.

Town Manager McGuffin read a statement from Jeremiah Kirkland in support of the amendment.

Ms. Wheaton made a motion that was seconded by Mr. Driskill to approve an amendment to the Town’s Zoning and Subdivision Ordinances, Chapter 24, Dwelling Units Accessory to Single-Household Residences, allowing up to two accessory units on a lot based on the underlying zoning district and/or size of parcel for a total of three dwellings on a lot, as recommended by staff.

After discussion, Ms. Wheaton withdrew the motion.

Ms. Turner made a motion that was seconded by Mr. Thompson to return the matter to the Planning Commission for clarification on the number of accessory units that would be allowed on a lot containing a single family residence.

There being no discussion, the motion carried 5-0 via the roll call method as follows:

D. Dwayne Tuggle		Andra Higginbotham	Aye
Janice N. Wheaton	Aye	Michael Driskill	Aye
Sharon Turner	Aye	Douglas Thompson	Aye

The matter was deferred to the December 13, 2023, Town Council meeting.

Vice Mayor Higginbotham opened the floor to citizen comments.

Tim Ware, Town of Amherst business owner, came forward to request that Council review and consider how town ordinances prohibiting banners and signs in front of businesses negatively impact those businesses.

Anna Pope, Town of Amherst resident, came forward in support of an addition of a little free library, and rope and tire swings at Old Mill Park.

Kenneth Watts, Town of Amherst resident, came forward to speak on negative public statements made during the recent election.

David Thomas, Town of Amherst resident, came forward in support of providing young adults with activities such as a town park.

Lucy Pope, Town of Amherst resident, came forward in support of an addition of restrooms at Old Mill Park.

There being no one else listed to speak on the citizen comment sign-in sheet, or otherwise, no comments were made.

Mr. Driskill made a motion that was seconded by Ms. Wheaton to approve the consent agenda items consisting of minutes of the meetings held on October 11, 2023, and October 26, 2023, and the October 2023 check registry, as presented.

There being no discussion, the motion carried 5-0 via the roll call method as follows:

D. Dwayne Tuggle		Andra Higginbotham	Aye
Janice N. Wheaton	Aye	Michael Driskill	Aye
Sharon Turner	Aye	Douglas Thompson	Aye

Town Manager McGuffin gave an update on conditions and language contained in a proposed Deed of Gift of Easement by and between Ambler Farm, L.L.C. and Town of Amherst, Virginia, conveying to the town for public purposes property consisting of 22.157 acres, more or less, located in the Town of Amherst, Amherst County, Virginia, fronting on Route 29 (South Main Street). Town staff will continue to work with Paul Kilgore on the conditions of the easement. No action was taken by council.

Vice Mayor Higginbotham opened the floor to citizen comments.

Angela Sundaramurthy, Town of Amherst resident and business owner, came forward to speak on her view of restrictive and nonsensical town ordinances, and to request changes to sign ordinances, removal or reduction of meals and beverage taxes, and restoration of a good relationship between town government and its citizens.

There being no one else listed to speak on the citizen comment sign-in sheet, or otherwise, no comments were made.

At 7:47 PM, Town Attorney Kemp read a resolution to authorize closed meeting, as follows:

WHEREAS, the Town Council of the Town of Amherst desires to discuss in Closed Meeting the following matter(s):

Discussion or consideration of the acquisition of real property for a public purpose, namely emergency services, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically real property owned by the Amherst Lifesaving Crew.

WHEREAS, pursuant to: §2.2-3711 (A)(3) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Council does hereby authorize discussion of the aforesated matters in Closed Meeting.

Ms. Turner made a motion that was seconded by Mr. Driskill to approve the resolution and go into closed session.

The motion carried 5-0 via the roll call method as follows:

D. Dwayne Tuggle		Andra Higginbotham	Aye
Janice N. Wheaton	Aye	Michael Driskill	Aye
Sharon Turner	Aye	Douglas Thompson	Aye

A copy of the Resolution is attached to and made a part of these minutes.

At 7:48 PM, pursuant to the Resolution, Town Council convened in closed session.

At 8:18 PM the meeting reopened to the public.

Clerk of Council Hunt read the following closed session certification to Council:

Do you certify that to the best of your knowledge (i) only public business matters lawfully exempted from open meeting requirements under Title 2.2, Chapter 37 of the Code of Virginia, and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed, or considered in the session?

Responses via the roll call method were as follows:

D. Dwayne Tuggle	Absent	Andra Higginbotham	Yes
Janice N. Wheaton	Yes	Michael Driskill	Yes
Sharon Turner	Yes	Douglas Thompson	Yes

There being no further business, on motion of Ms. Turner and seconded by Mr. Driskill the meeting adjourned at 8:19 P.M., until December 13, 2023, at 7:00 p.m.

The motion carried 5-0 as follows:

D. Dwayne Tuggle		Andra Higginbotham	Aye
Janice N. Wheaton	Aye	Michael Driskill	Aye
Sharon Turner	Aye	Douglas Thompson	Aye

D. Dwayne Tuggle, Mayor

Attest: _____
Clerk of Council

TOWN COUNCIL OF THE TOWN OF AMHERST

MOTION: Sharon Turner

Wednesday, November 8, 2023
Regular Meeting

SECOND: Michael Driskill

RE: AUTHORIZE CLOSED MEETING

WHEREAS, the Town Council of the Town of Amherst desires to discuss in Closed Meeting the following matter(s):

- Discussion or consideration of the acquisition of real property for a public purpose, namely emergency services, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically real property owned by the Amherst Lifesaving Crew.

WHEREAS, pursuant to: §2.2-3711(A)(3) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Council does hereby authorize discussion of the aforestated matters in Closed Meeting.

Adopted this 8th day of November 2023.

D. Dwayne Tuggle, Mayor

ATTEST:

Clerk of Council